

RE: 29-348E

Basin 29 uncontested Partial Decrees were first run on 2/27/04 and then had to be deleted from the ROAs because of an additional objection period being set. They were rerun and mailed on 3/22/04. This water right number was included in the first printing. For reasons unknown, this number did not get included in the second printing. After the mailing of the uncontested Partial Decrees the claimant called inquiring as to why they had received a Partial Decree for one water right and not water right 29-348E. Per Diana's instructions, I created a file and issued a Partial Decree today, docketing the ROA in the same manner an uncontested Partial is docketed. A copy was mailed to the claimant with a pamphlet and a copy sent to IDWR.

Julie Murphy
Deputy Clerk

Jm 4/8/04

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2004 APR 8 PM 12 26

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-00348E

NAME AND ADDRESS: MARCIA NIELSEN
REX NIELSEN
PO BOX 135
DOWNEY, ID 83234

SOURCE: CHERRY CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 2.40 CFS

PRIORITY DATE: 11/13/1888

POINT OF DIVERSION: T12S R37E S32 SENWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.40 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation		Within Bannock County
	T12S R37E S19	SESE 7.0	
	S20	NESW 3.0	SWSW 40.0
		SESW 14.0	
	S29	NENW 29.0	NWNW 39.0
	132.0 Acres Total		

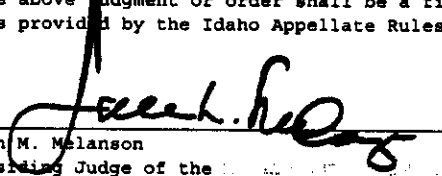
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 110 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication